

RECEIVED

## UNITED STATES DISTRICT COURT

APR 19 2013

for the

CLERK, U.S. DISTRICT COURT  
ST. PAUL, MINNESOTA

District of Minnesota

UNITED STATES OF AMERICA

v.

Case No.

13-MJ-290 (JSM)

WILLIAM DANIEL SEWELL

## CRIMINAL COMPLAINT

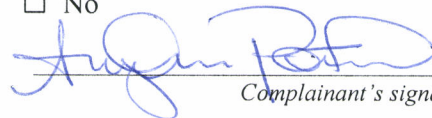
I, Special Agent Angeline Portel for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about March 29, 2013, in Hennepin County, in the State and District of Minnesota, the defendant, William Daniel Sewell, having previously been convicted of crimes punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting interstate commerce, a firearm, specifically a Glock, model 17, 9mm pistol, serial number LNU415, all

in violation of Title 18, United States Code, Sections 922(g)(1).

I further state that I am a Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Complainant's signature

Angeline Portel, Special Agent, ATF

Sworn to before me and signed in my presence.

Date:

4/18/13



Judge's signature

City and state: St. Paul, Minnesota

Janie S. Mayeron, U.S. Magistrate Judge

SCANNED

APR 19 2013

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA )

) ss. AFFIDAVIT OF SPECIAL AGENT ANGELINE PORTEL  
COUNTY OF RAMSEY )

1. I am a Special Agent (SA) employed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I have been employed by ATF since 2009. Prior to that, I worked as a Police Officer in Salt Lake City, Utah, for thirteen years. In my capacity as a Special Agent, I am responsible for the enforcement of Federal Firearms Laws and related offenses. During my career, I have conducted investigations related to unlawful possession of firearms, firearms trafficking, controlled substance offenses, crimes of violence against persons, and associated conspiracies.

2. This affidavit is submitted in support of a Complaint against William Daniel SEWELL (D.O.B. 11/25/1986) charging him with being a convicted felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1). All of the information contained in this affidavit is based upon my personal knowledge and that of other law enforcement agents and officers working with me and our investigation. I have not set forth every fact known to me concerning this investigation. I have included what I believe are facts sufficient to establish probable cause for the criminal complaint and arrest of William Daniel SEWELL.

3. On March 29, 2013, Minneapolis Police Officers responded to an emergency call for service regarding an assault and fight inside and around the Red Dragon Restaurant in Minneapolis, Minnesota. The Officers were checking a nearby parking lot for the suspect(s) when a witness directed them toward several men in the parking lot across the street. The witness told the Officers that this group had been involved in the fight.

4. An Officer approached the group of men that the witness had pointed out. The Officer's attention was drawn to a man who broke away from the group as the Officer's marked patrol car approached. This male, later identified as William Daniel SEWELL, was one of the individuals the witness had pointed to as being involved in the original altercation. The Officer stopped his patrol car near where SEWELL was walking, exited his squad car, and told SEWELL to "Stop." SEWELL, however, began running out of the parking lot and into vehicular traffic on Lyndale Avenue South.

5. The Officer pursued SEWELL, and while SEWELL was running he was clutching the front of his pants which caused the Officer to be concerned that SEWELL could have a firearm. The foot chase ended when the Officer was close enough to deploy his Taser. The Taser probes hit SEWELL in the torso and SEWELL immediately fell to the

pavement. A second Officer ran over to help and saw a firearm fall from the right side of SEWELL's upper body, near where his right hand came to rest on the roadway.

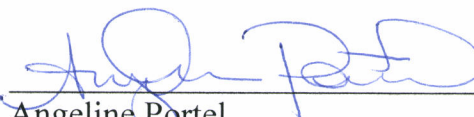
6. The firearm is a Glock, model 17, 9mm pistol with serial number LNU415. In 2011, this firearm was listed stolen with the National Crime Information Center (NCIC). An ATF Interstate Nexus Expert has concluded that this firearm was manufactured in Austria and thus at some point after manufacture the Glock firearm traveled in interstate and/or foreign commerce to the State of Minnesota. The expert also concluded that the this Glock is a firearm as defined in Title 18, United States Code, Chapter 44, Section 921(a)(3).

7. Your Affiant reviewed SEWELL's criminal history and found that he has two prior felony convictions: 1) On March 16, 2010, SEWELL was convicted of Burglary of a Dwelling in Anoka County, Minnesota; and 2) On March 31, 2013, SEWELL was convicted of Fleeing a Peace Officer in a Motor Vehicle in Hennepin County, Minnesota.

8. Lastly, Your Affiant knows that SEWELL was arrested on two other occasions where firearms were recovered in close proximity to where SEWELL was taken into custody.

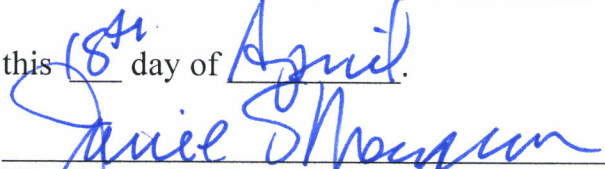
9. Based on the foregoing, there is probable cause to believe that SEWELL is a convicted felon who was in possession of a firearm on March 29, 2013, in violation of Title 18, United States Code, Section 922(g)(1).

Further your Affiant sayeth not.

  
\_\_\_\_\_  
Angeline Portel  
Special Agent  
ATF

SUBSCRIBED and SWORN to before me

this 18<sup>th</sup> day of April.

  
\_\_\_\_\_  
The Honorable Janie S. Mayeron  
UNITED STATES MAGISTRATE JUDGE